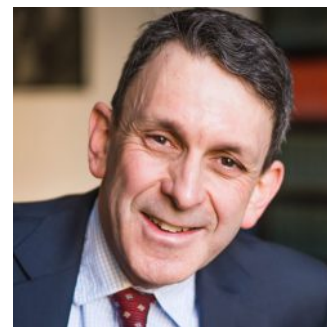


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## Peter Oldham QC

Peter is a well-known practitioner advising and litigating in public, local government, education, employment, procurement and state aid law, and has always appeared as a leading silk in the directories. He also conducts investigations and expert determinations. He regularly advises and appears in the cutting edge cases in his fields, for example **R (MI) v Waltham Forest BC** (cuts to SENs budgets, July 2020, judgment awaited), **SFM v Christ the King College and Isle of Wight Council** (bar on maintained school borrowing as a defence to a private law claim, May 2020), **R (KD) v Leicestershire CC** (school transport, disability and human rights, Court of Appeal, April 2020), **R (LF) v Bucks CC** (reorganisation of children's centres, July 2019), **R (Various Fire Authorities) v Home Secretary** (police and crime commissioners, July 2019), **Nat Union of Professional Foster Carers v Certification Officer** (foster carers, union recognition and human rights, EAT, July 2019), **Jones v Swansea CC** (teachers' SEN allowances, May 2019), **R (Britwell PC) v Slough BC** (abolition of parishes, April 2019), **R (Wycombe DC) v SoS** (unitary LA reorganisation, Mar 2019), **R (RB) v Neath Port Talbot CBC** (school closure and Well-Being of Future Generations (Wales) Act 2015, March 2019), **R (RD) v Worcestershire CC** (reorganisation of early years provision, Feb 2019), *Addison Lee v Gascoigne* (gig economy, Mar 2019), **Marston Hldgs v Ministry of Justice** (procurement claim, Nov 2018), **R (KE) v Bristol CC** (LA budgets, Aug 2018), *R (WX) v Northants CC* (libraries and children's centres, Aug 2018), **R (Labour Party) v SoS** (lawfulness of election rules, Apr 2018).



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### Professional Summary

Called 1990  
Appointed QC 2010

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### Contact Details

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**Clerk** Christopher Smith  
[Contact Clerks](#)

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## Specialisms

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### Public

Peter advises and litigates across the range of public law. Apart from his very extensive work with local authorities (details on Peter's separate local authority webpage), his cases include disputes involving central government departments and agencies, Care Quality Commission, police authorities, fire authorities, health bodies, medical bodies, election matters, trade regulators and education regulators (OFSTED, HEFCE, awarding bodies, OIAHE, AQA amongst others – details on Peter's separate education webpage).

#### Recent litigation includes:

**R (MI) v Waltham Forest BC** – cuts to SEN budgets, July 2020

**SFM v Christ the King College and Isle of Wight Council** – bar on maintained school borrowing as a defence to a private law claim, May 2020

**R (KD) v Leicestershire CC** – school transport, disability and human rights, April 2020

**R (A FE College) v OFSTED** – challenge to OFSTED report, Feb 2020

**R (Various Fire Authorities) v Home Secretary** – fire authorities and police and crime commissioners, July 2019

**Nat Union of Professional Foster Carers v Certification Officer, Local Government Association intervening** – foster carers, union recognition and human rights, July 2019

**R (LF) v Bucks CC** – reorganisation of children’s centres, July 2019

**Jones v Swansea CC** – teachers’ SEN allowances, May 2019

**R (Britwell PC) v Slough BC** – abolition of parishes, April 2019

**R (Wycombe DC) v SoS** – unitary LA reorganisation, Mar 2019

**R (RB) v Neath Port Talbot CBC** – school closure and Well-Being of Future Generations (Wales) Act 2015, March 2019

**R (RD) v Worcestershire CC** – reorganisation of early years provision, Feb 2019

**R (Mid Ulster DC) v Dept for Communities** – rates and rates support grant, Sept 2018

**R (KE) v Bristol CC** – LA budgets, Aug 2018

**R (WX) v Northants CC** – libraries and children’s centres, Aug 2018

**R (Glasgow CC) v SoS for Health** – ordinary residence dispute, May 2018

**R (Labour Party) v SoS** – lawfulness of election rules, Apr 2018

**R (Jones) v Wigan BC** – local authority by-election, Feb 2018

**R (Hussain) v Sandwell MBC** – conduct allegations against members, 2017

Peter has recently advised on matters including:

- Numerous JR challenges to medical bodies
- Police Authorities
- Fire authorities
- Issues relating to CQC reports, including internal and JR challenge
- Election issues
- The conduct of business by a statutory trade regulator
- Numerous challenges to education regulator decisions about provider quality
- Emergency services

For local authorities, Peter has recently advised on matters including:

- Numerous challenges to cuts
- Powers, including the general power of competence
- Budgets
- Budget crises and s 114 of the LGFA 1988
- Local government reorganisation and the LGPIHA 2007
- Vires and general power of competence
- Best value
- Prudential borrowing, accounts and the CIPFA code
- Education issues (please see separate Education webpage for full details)
- Rating
- Social services and community care
- Museums
- Local government ombudsman
- Bias and conduct of meetings
- Health powers
- Audit and accounts
- Investment and borrowing powers

- Local Government Ombudsman and JR challenges
- Highways
- Waste collection, disposal and recycling
- Assets of community value
- Elections
- Trading and commercial initiatives
- Inter-authority care/health disputes and ordinary residence
- LGPS issues (complaints, shortfalls, Pensions Ombudsman, termination rights, admission bodies etc)
- Bus services and transport
- Regeneration projects, including state aid and procurement (please see separate Procurement & State Aid page)
- Section 123 of the LGA 1972 and sales at an undervalue
- Assets of community value
- Members' standards and the Localism Act 2011
- Indemnities for officers and members
- Political balance
- Termination of employment of chief officers
- Parking regulation
- Operation of joint authorities

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## Education

Peter has a particular specialism in education law and has for a long time been in the very highest rank in the education directories.

Recent litigation includes:

**R (MI) v Waltham Forest BC** – cuts to SEN budgets, July 2020

**SFM v Christ the King College and Isle of Wight Council** – bar on maintained school borrowing as a defence to a private law claim, May 2020

**R (KD) v Leicestershire CC** – school transport, disability and human rights, April 2020

**R (A FE College) v OFSTED** – challenge to OFSTED report, Feb 2020

**R (LF) v Bucks CC** – early years provision and children's centres, July 2019

**R (RD) v Worcs CC** – early years provision and special needs, April 2019

**Jones v Swansea CC** – entitlement to SEN allowances, April 2019

**R (RB) v Neath Port Talbot CBC** – school closure and Well-Being of Future Generations (Wales) Act 2015, March 2019

**Hillingdon LBC v Sharpling** – choice of placement for young person with SENs, Sept 2018

**R (KE) v Bristol CC** – school budgets, Aug 2018

**R (WX) v Northants CC** – children's centres, Aug 2018

**Rees and others v Swansea City Council** – SEN allowances and home tutors, May 2018

**R (X School) v OFSTED (CA)** – interim injunction to restrain publication of OFSTED report; validity of OFSTED's approach to sex discrimination, 2017

Peter has recently advised on the following amongst other issues:

- Various academy issues, including transfer of property on academisation
- Numerous OFSTED challenges in different educational settings
- School closures
- Special educational needs
- Disputes over maintained school borrowing
- School photocopier lease disputes
- School and university staffing disputes
- Religious, disability and sex discrimination in schools
- Consumer Rights Act 2015, universities and independent schools
- The operation of statutory and private law trusts for voluntary schools
- Independent schools, discipline and contracts of education
- School transport
- University staffing disputes
- University governance and statutes
- Universities, sexual harassment and discipline
- Students' claims against universities (private and public law)
- Students unions
- FE colleges
- Foundation trustees' powers and duties
- Charity Commission issues
- DfE and withdrawal of funding
- Regulation of examination and awarding bodies
- Admissions and exclusions
- Boarding and fee charging
- Constitution of governing bodies

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## Procurement & State Aid

Peter regularly advises and litigates in this area. Recent cases include:

**Marston Holdings Ltd v Ministry of Justice** – challenge to award of enforcement services, ongoing

**Newcastle and Stafford Colleges v DfE** – challenge to award of education services

**Hine Solicitors v Legal Aid Agency** – part of the Criminal Duty Solicitor legal aid contract procurement litigation

**Rota Hine Solicitors v Legal Aid Agency** – further challenge to LAA's award of duty rota places

**Flogas v Department for Personnel** – challenge to award of fuel supply contract

**Newcastle FT Hospital v North East CCGs** – challenge to award of diabetic retinopathy services contract

**SSAFA v MOD** – challenge to award of social service contract

Recent advisory work includes:

- Various cases involving automatic stay/lifting of the stay
- Procurement of IT management contract for very large public organisation
- Procurement of mutual insurance services
- PCR reg 72 and variations
- PCR reg 12 (Teckal)
- Various framework contract issues
- Airport aid
- Local authority guarantees for innovative renewables project
- Numerous regeneration projects, involving procurement and state aid issues
- Sale of fire station sites by a fire authority
- Disposal of land at an undervalue for recreational and cultural purposes
- Reorganisation of waste disposal contracts in a county council

- Setting up a university research project
- Procurement of a telephony services by a police force
- Development of a large site for solar energy supply
- Procurement of services for national sporting event
- Procurement of a sports centre

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## Employment

Peter advises and litigates across the employment field. This year's litigation includes:-

**Addison Lee v Gascoigne (CA)** – gig economy rights, CA, 2019

Disciplinary hearing into head of university college, 2019

**National Union of Professional Foster Carers v Certification Officer** – foster carers, union recognition and human rights, 2019

**Jones v Swansea CC** – teacher's rights to SEN allowance, 2019

Peter advises on all employment issues, including:

- Unfair dismissal including mass dismissals
- Redundancy and protective awards
- Pension rights, including Pension Ombudsman issues and appeals
- TUPE
- Gig economy rights
- Industrial action and injunctions
- Union rights, certification etc
- Trafficked workers' rights
- Restrictive covenants
- Discrimination
- Minimum wage
- Working time rights
- Whistleblowing
- Crown employment

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## Local Authority

Peter has decades of experience advising and litigating in the field of local authority law. Recent litigation includes:

**R (MI) v Waltham Forest BC** – cuts to SEN budgets, July 2020

**SFM v Christ the King College and Isle of Wight Council** – bar on maintained school borrowing as a defence to a private law claim, May 2020

**R (KD) v Leicestershire CC** – school transport, disability and human rights, April 2020

**R (LF) v Bucks CC** – reorganisation of children's centres, July 2019

**Jones v Swansea CC** – teachers' SEN allowances, May 2019

**R (Britwell PC) v Slough BC** – abolition of parishes, April 2019

**Nat Union of Professional Foster Carers v Certification Officer, Local Government Association intervening** – foster carers, union certification and human rights, Apr 2019

**R (Wycombe DC) v SoS** – unitary LA reorganisation, Mar 2019

**R (RB) v Neath Port Talbot CBC** – school closure and Well-Being of Future Generations (Wales) Act 2015, March 2019

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**R (KE) v Bristol CC** – LA budgets, Aug 2018

**R (WX) v Northants CC** – libraries and children's centres, Aug 2018

**R (Labour Party) v SoS** – lawfulness of election rules, Apr 2018

**R (Jones) v Wigan BC** – local authority by-election, Feb 2018

**R (Hussain) v Sandwell MBC** – conduct allegations against members, 2017

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- Rating
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- Museums
- Local government ombudsman
- Bias and conduct of meetings
- Data protection and freedom of information
- Health powers
- Audit and accounts
- Investment and borrowing powers
- Local Government Ombudsman and JR challenges
- Highways
- Waste collection, disposal and recycling
- Assets of community value
- Elections
- Trading and commercial initiatives
- Inter-authority care/health disputes and ordinary residence
- LGPS issues (complaints, shortfalls, Pensions Ombudsman, termination rights, admission bodies etc)
- Bus services and transport
- Regeneration projects, including state aid and procurement (please see separate Procurement & State Aid page)
- Section 123 of the LGA 1972 and sales at an undervalue
- Assets of community value
- Members' standards and the Localism Act 2011
- Indemnities for officers and members
- Political balance

- Termination of employment of chief officers
- Parking regulation
- Operation of joint authorities

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## Investigations

Peter has a particular expertise in conducting often highly sensitive and sometimes high profile investigations and determinations:

- Investigation into the working of Welsh legislation for discipline of senior local government officers
- An investigation into a local authority's failed investment worth tens of millions of pounds
- Expert determination under NHS standard terms of a dispute between CCG and provider
- Investigation into whistleblowing complaint against a local authority Chief Officer
- Investigation into possible financial fraud at FE college
- Investigation into the suicide of a school teacher
- Investigation of bullying of staff at a school

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## Recommendations

"He is really good in cases involving novel points of the law and is excellent with clients. He's wonderfully softly spoken, unbelievably bright and very responsive." **Chambers & Partners**

"He has a brilliant intellect and an encyclopaedic knowledge of complex education legislation." **Chambers & Partners**

"A very good advocate who is very experienced in local government matters." **Chambers & Partners**

"He's determined and very hard-working." **Chambers & Partners**

"His advice is clear, persuasive and authoritative." **Chambers & Partners**

"He has formidable legal knowledge, and can translate that knowledge into practical and strategic advice." **Chambers & Partners**

"He has a calm confidence, is excellent with clients and has the ability to quickly identify the key issues in a case." **Chambers & Partners**

"He's quick at turning advice around and is always very thorough." **Chambers & Partners**

"His strengths include his intellect, analysis and expertise, and his approachability." **Legal 500**

"Very good on his feet; very good with difficult opponents; universally admired by his clients." **Legal 500**

"He is a go-to silk when the procurement dispute involves a judicial review element." **Legal 500**

"A super advocate and tactician, who presents winning arguments and quickly turns advice around" **Legal 500**

"Couples a preternatural understanding of the law with an extremely affable demeanour" **Legal 500**

"Down to earth and willing to put himself in his client's shoes" **Legal 500**

"A fantastic advocate" **Chambers and Partners**

"Head and shoulders above the rest" **Legal 500**

“He provides practical and pragmatic advice and real world solutions.” **Chambers and Partners**

“A superb tactician, who cuts through complex problems and identifies winning solutions.”

**Legal 500**

“He exudes confidence with sound and pragmatic advice” **Legal 500**

“He handles things very well, is very responsive, has a fine academic brain, and is always willing to listen to clients and meet their needs.” **Chambers and Partners**

“He’s extremely easy to deal with and very pragmatic” **Chambers and Partners**

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## Education

MA History, first class, University of Cambridge

Diploma in Law, distinction, first in year

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## Other

Peter worked in banking for a number of years before studying law and becoming a barrister.



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